

+

TRANSMITTAL FORM		Appli	Application Number 10/696,381				
		Filing Date		October 28, 2003			
		First Named Inventor		Albert K. Chin			
	rrespondence during pe led application)	endency of	Group Art Unit Number		3731		
			Examiner Name		Not Yet Kr	nown	
Total Number of Page	es in This Submission	7	Attorney Docket Number		80121-08565		
	ENCL	OSURES	(ch	eck all that apply	/)		•
Fee Transmittal Form (in duplicate)  Check Enclosed  Return Receipt Postcard  Response to Notice to File Missing Parts  Assignment & Recordation Cover Sheet  Declaration  Power of Attorney  Application Data Sheet  Information Disclosure Statement & PTO/SB/08A  Copies of IDS Cited References  Request for Corrected Filing Receipt  Request for Correction of Recorded Assignment  Amendment/Response: [ ] Page(s)  After Final  Status Request  Revocation and Substitute Power of Attorney			Check all that apply				
REMARKS:							
OLONATURE OF ATTORNEY OF ACTIVE							
SIGNATURE OF ATTORNEY OR AGENT							
Signature: . Q (			(,	Smith			1
Attorney/Reg. No.: Albert C. Smith, Reg. No. 20,355 Dated: Dated: 04			04				
CERTIFICATE OF MAILING							
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.							
Signature:		Q -	<u>(</u>	Smith			
Typed or Printed Nan	ne: Albert C. Smith	1			Dated:	106	(04
Express Mail Mailing	Number (optional):	Express Mail Mailing Number (optional):					

OT 12 2004 E

# for FY 2005

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 920

Complete if Known		
Application Number	10/696,381	
Filing Date	October 28, 2003	
First Named Inventor	Albert K. Chin	
Examiner Name	Not Yet Known	
Art Unit	3731	
Attorney Docket No.	80121-08565	

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None     ☐ Deposit Account:	3. ADDITIONAL FEES	1	
Deposit Account Number 19-2555	Large Entity Small Entity	Y Fee Description	Fee Paid
Deposit Account Name Fenwick & West LLP	Fee Fee Fee Fe Code (\$) Code (\$)		
The Commissioner is authorized to: (check all that apply)  ☐ Charge fee(s) indicated below ☑ Credit any overpayments ☑ Charge all required fee(s) or any underpayment of fee(s) due	1	Surcharge - late filing fee or oath or declaration Surcharge - late provisional filing fee or cover sheet Non-English specification	130 /
under 37 CFR §1.16 or §1.17 during the pendency of this application	1812 2,520 1812 2,52	20 For filing a request for ex parte reexamination	
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1804 920* 1804 92 1805 1,840* 1805 1,84		
FEE CALCULATION	1251 110 2251 5	55 Extension for reply within first month	
BASIC FILING FEE     Large Entity Small Entity	1253 980 2253 49	15 Extension for reply within second month 90 Extension for reply within third month 65 Extension for reply within fourth month	
Fee Fee Fee Fee Fee Description Fee Paid  Code (\$) Code (\$)  1001 790 2001 395 Utility filing fee 790	1255 2,080 2255 1,04		
1002 350 2002 175 Design filing fee 1003 550 2003 275 Plant filing fee		Filing a brief in support of an appeal Request for oral hearing	
1004 790 2004 395 Reissue filing fee	1451 1,510 1451 1,51	· · · · · · · · · · · · · · · · · · ·	
1005 160 2005 80 Provisional filing fee   SUBTOTAL (1) (\$) 790		55 Petition to revive - unavoidable	
GOBTOTAL (1)	•	85 Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE  Extra Claims Fee from Fee Paid		85 Utility issue fee (or reissue) 45 Design issue fee	
Delow Company		45 Design issue fee 30 Plant issue fee	<b></b>
Total Claims   12   -20**= 0   X   18   = 00     Independent   2   -3**= 0   X   88   = 00		30 Petitions to the Director	
Multiple Dependent = 00	1807 50 1807 5	50 Processing fee for Provisional Applications	
Large Entity Small Entity	1806 180 1806 18	80 Submission of Information Disclosure Stmt	
Fee Fee Code (\$) Fee Description	8021 40 8021 4	40 Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20	1809 790 2809 39	95 Filing a submission after final rejection (37 CFR 1.129(a))	
1201 88 2201 44 Independent claims in excess of 3	1810 790 2810 39	95 For each additional invention to be examined (37 CFR 1.129(b))	
1203 300 2203 150 Multiple dependent claim, if not paid		95 Request for Continued Examination (RCE)	
1204 88 2204 44 **Reissue independent claims over original patent	1802 900 1802 90	Request for expedited examination of a design application	
1205 18 2205 9 **Reissue claims in excess of 20 and over original patent	Other fee (specify)		·
SUBTOTAL (2) (\$) .00		SUBTOTAL (3) (\$) 130	
or number previously paid, if greater; For Reissues, see above	•Reduced by Basic Filing Fee Pa	aid	

SUBMITTED BY		•				Complete (if applicable)	
Name (Print/Type)	Albert C. Smith		Registration No. (Attorney/Agent)	20,355		Telephone (650) 335-7296	
Signature		Q -( , 5	Smith		Date	10/6/04	



### IN THE UNITED STATES

### PATENT AND TRADEMARK OFFICE

APPLICANT(S):	Α
---------------	---

Albert K. Chin

APPLICATION NO.:

10/696,381

FILING DATE:

October 28, 2003

TITLE:

Longitudinal Dilator and Method

EXAMINER:

Not Yet Known

**GROUP ART UNIT:** 

3731

ATTY. DKT. NO.:

80121-08565

#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated:

10/0/04

Albert C. Smith, Reg. No.: 20,355

MAIL STOP MISSING PARTS COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

# RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

SIR:

Responsive to the Notice to File Missing Parts dated August 11, 2004 received in the above-identified patent application,

⊠ Enc	losed	are
-------	-------	-----

M	a copy of the Notice to File Missing Parts;
	an original, signed Combined Declaration & Power of Attorney;
	an original, signed Power of Attorney;
	an Application Data Sheet;

payment in the amount of	£\$920.00 for the
□ application filing	fee;
☐ fee for additional	claims; and
	harge.
☐ Other	
☐ Applicant claims small entity sta	tus under 37 C.F.R. § 1.27.
	Respectfully submitted, ALBERT K. CHIN
Dated: 10604	By: Albert C. Smith, Reg. No.: 20,355 Fenwick & West LLP Silicon Valley Center 801 California Street Mountain View, CA 94041 Tel.: (650) 335-7296 Fax.: (650) 938-5200



### United States Patent and Trademark Office

Page 1 of 2

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS O. Dox 1450 Alexandria, Vingiria 22313-1450 www.uspto.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/696,381

10/28/2003

Albert K. Chin

80121-08565

00758 FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041

### Fenwick & West

AUG 1 6 2004

## Received

CONFIRMATION NO. 8269 FORMALITIES LETTER

\*OC00000013505965\*

Date Mailed: 08/11/2004

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/13/2004 HLE333

00000078 10696381

01 FC:1001 02 FC:1051

790.00 OP 130.00 OP FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

### **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
   Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$900 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

### A copy of this notice MUST be returned with the reply.

McCustomer Service Center

Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE